Compensation Submissions for Early Redundancy Under a One Year Contract

Educational sample 155 | Nairobi

Educational reconstruction from a reported Kenyan judgment. This is newly drafted text, not an original court filing and not a matter handled by our team. Identifying details are replaced with bracketed fields. Verify the facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE CIVIL SUIT OR APPLICATION NO [correct reference]

[CLAIMANT PLAINTIFF OR APPELLANT] v [RESPONDENT OR DEFENDANT]

WRITTEN SUBMISSIONS

1. After the fairness question, compensation requires a distinct assessment under section 49. The Claimant relies on the proved exit salary of KSh 319,000, the six-month period already served, and the approximately six months left under the one-year contract.

2. The renewable term did not guarantee renewal. The Claimant does not equate remaining salary with an automatic debt for all future employment. Evidence relevant to alternative work, contribution to termination and reasonable expectations is [identify admitted evidence].

3. The historical decision awarded two months of exit salary: KSh 319,000 multiplied by 2 equals KSh 638,000. That amount is the reported result, not a fixed tariff or a promise of the outcome in a different claim.

4. The award was subject to applicable statutory deductions. Proved terminal payments must be listed by head so that wages, notice and other benefits are not claimed twice. The claimant’s unsupported discrimination declaration was refused and must not inflate this computation.

5. The Claimant requests a reasoned compensation award, a compliant certificate of service and costs. Interest, if sought, must identify the requested legal basis and starting date. This sample does not describe interest as part of an order that the source judgment did not expressly make.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected party and address].

Use and evidence notes

Identify the issue, pleaded position, admitted evidence and bundle pages. Submissions do not introduce new facts or exhibits. Follow current directions on filing, length, authorities and service. Distinguish a requested amount from the actual award, a losing historical argument from the holding and a liability finding from proof of every damages head. Applicable rules: ELRC Procedure Rules 2024, amended by Legal Notice 78 of 2025; verify current court directions.

Supporting material schedule: [document date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach only genuine available records and mark missing records accurately.

Source and procedural limits

A business development manager began a renewable one-year contract in November 2023. His role and monthly salary changed to Head of Partnerships and KSh 319,000 in March 2024. Two notices, dated 6 and 21 May, were both received on 21 May; they proposed exits on 6 June and 31 May respectively. The employer asserted strategic change and earlier discussions. At trial its witness instead referred to a missing business licence. The employee denied consultation.

The Court found the reason unconvincing, the employee and labour-office notices shorter than a month, and consultations unproved. It declared termination unlawful, awarded KSh 638,000, being two months of exit salary subject to statutory deductions, costs and a certificate of service. The discrimination declaration failed for lack of evidence. Renewal was not guaranteed; neither six remaining months nor twelve months was automatically awarded.

Employment Act sections 40 and 45 govern redundancy justification and procedure; section 49 governs compensation and section 51 a certificate. A sole position does not remove notice and consultation requirements. Informal conversations and pay in lieu must not be treated as substitutes for the statutory redundancy notice. Current ELRC Rules 7, 29 and 35 govern claim, response and witnesses; check the 2025 amendments and case directions. Section 90 limitation must be assessed before a new filing.

[2026] KEELRC 405 (KLR) — 19 February 2026. Original judgment: https://sheriahub.com/cases/ke/caselaw/wabuge-v-transsnet-payments-limited-2026-keelrc-405-klr

The original decision may identify participants. The specimen replaces their identifying details. A source decision is not proof that a draft was filed, that an allegation succeeded, or that the same result will follow in another case.